

MAY 24 2006

**BANNER & WITCOFF, LTD.**
INTELLECTUAL PROPERTY LAW601 S.W SECOND AVENUE
SUITE 1900
PORTLAND, OREGON 97204TEL: 503.425.6800
FAX: 503.425.6801
www.bannerwitcoff.com**FACSIMILE TRANSMITTAL SHEET****To:**
Examiner N. Vig, Group Art Unit 3629**FROM:**
Thomas L. Evans**COMPANY:**
U.S. Patent And Trademark Office**DATE:**
May 24, 2006**FAX NUMBER:**
(571) 273-8300**TOTAL NO. OF PAGES (INCLUDING COVER SHEET):**
7**YOUR REFERENCE NO.:**
U.S. Pat. App. No. 09/859,565**OUR REFERENCE (C/M) No.:**
003797.00014**RE:**
Response To Final Office Action issued March 24, 2006*If you do not receive all page(s) or have any problems receiving this transmission, please call:***NAME:** Tom Evans**PHONE:** (503) 279-6330**COMMENTS:**

IMPORTANT/CONFIDENTIAL: This message is intended only for the use of the individual or entity to whom it is addressed. This message contains information from the law firm of BANNER & WITCOFF, LTD. which may be privileged, confidential or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, retention, archiving, or copying of the communication is strictly prohibited. If you have received this communication in error, please notify us immediately at our telephone number listed above. We will be happy to arrange for the return of this message to our offices at no cost to you.

CHICAGO

WASHINGTON, D.C.

BOSTON

PORTLAND, OR

MAY 24 2006

002/007

05/24/2006 10:32 FAX 5034256801

Banner & Witcoff Ltd

PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | | |
|---|----------------------|------------------------|--------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 09/859,565 | |
| | Filing Date | May 16, 2001 | |
| | First Named Inventor | Jeffrey Alger et al. | |
| | Art Unit | 3629 | |
| | Examiner Name | N. Vig | |
| Total Number of Pages In This Submission | 8 | Attorney Docket Number | 003797.00014 |

| | | | | |
|---|---|--|---------|---|
| ENCLOSURES (check all that apply) | | | | |
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): | | |
| <table border="1"><tr><td>Remarks</td></tr><tr><td>Please charge any fees that are necessary to maintain to the pendency of this application, including any fees under 37 CFR §1.16 or §1.17, to deposit account number 19-0733.</td></tr></table> | | | Remarks | Please charge any fees that are necessary to maintain to the pendency of this application, including any fees under 37 CFR §1.16 or §1.17, to deposit account number 19-0733. |
| Remarks | | | | |
| Please charge any fees that are necessary to maintain to the pendency of this application, including any fees under 37 CFR §1.16 or §1.17, to deposit account number 19-0733. | | | | |

| | |
|---|-----------------------------------|
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
| Firm or Individual name | Thomas L. Evans, Reg. No. 35, 805 |
| Signature | <i>Thomas L. Evans</i> |
| Date | May 24, 2006 |

| | | | |
|---|------------------------|------|--------------|
| CERTIFICATE OF MAILING/TRANSMISSION | | | |
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | | |
| Typed or printed name | Thomas L. Evans | | |
| Signature | <i>Thomas L. Evans</i> | Date | May 24, 2006 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.